



BOARD OF SUPERVISORS PUBLIC HEARING

SUBJECT: ZCPA-2012-0003, Goose Creek Preserve

ELECTION DISTRICT: Blue Ridge

CRITICAL ACTION DATE: July 31, 2013

STAFF CONTACTS: Jane McCarter, AICP, Department of Planning
Julie Pastor, AICP, Director, Department of Planning

APPLICANT: Packie Crown, Principal/Senior Planner, Bowman Consulting Group
Representative for Brookfield Goose Creek Preserve LLC

PURPOSE: On May 15, 2013 the Board of Supervisors, by a unanimous vote of 9-0, returned this application to the Planning Commission to allow the Applicant to submit revised materials for the development of single family attached units. See the Planning Commission Review and Findings on Page 4.

The purpose of this application is to change the residential unit type and design throughout a 4.49 acre portion of Landbay IV of Goose Creek Preserve and to allow for 56 single family attached units where 64 multi-family units were previously approved. The application will amend the concept plan and proffers approved with ZMAP-2002-0009, Goose Creek Preserve. One modification previously approved with ZMAP 2002-0009 has also been requested regarding removal of the internal buffer between certain landbays. Three additional modifications are requested to reduce the minimum front yard, reduce the minimum rear yard, and to permit lots to have frontage on open space or private access easements. The proposal decreases the previously approved density from 3.06 to 3.01 dwelling units per acre, in the PD-H4 (Planned Development-Housing), administered as R-8 Affordable Dwelling Unit (Single Family Residential with Affordable Dwelling Units), zoning district.

RECOMMENDATIONS: On June 18, 2013, the Planning Commission forwarded the Zoning Concept Plan Amendment application to the Board of Supervisors with a recommendation of approval (8-0-1, Klancher absent), subject to the Proffer Statement dated June 17, 2013, and based on the Findings included on Page 4 of this Staff Report. Staff supports approval of the application. The proposal now meets all County policies including Capital Facilities Contribution for Single Family Attached units and current recommendations for Unmet Housing Needs Contribution.

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SUGGESTED MOTIONS:

1. I move that the Board of Supervisors forward ZCPA-2012-0003, Goose Creek Preserve, to the **July 17, 2013 Business Meeting** for action.

OR

- 2a. I move that the Board of Supervisors **suspend the rules**.

AND

- 2b. I move that the Board of Supervisors **approve** ZCPA-2012-0003, Goose Creek Preserve subject to the Proffer Statement dated June 17, 2013, and based on the Findings for Approval included in the July 10, 2013 Staff Report.

OR

3. I move an alternate motion.

I. APPLICATION INFORMATION				
APPLICANT Brookfield Goose Creek Preserve LLC Richard J. Dengler, Vice President, Land Division 703.270.1400		REPRESENTATIVES Bowman Consulting Group Packie E. Crown, Principal/Senior Planner pcrown@bowmancg.com		
REQUEST An application to amend the concept plan and proffers approved with ZMAP 2002-0009, Goose Creek Preserve, in order to replace 64 multi-family dwellings with 56 single family attached dwelling units, and revise the proffered open space and recreational amenities with a decrease in the previously approved density from 3.06 to 3.01 dwelling units per acre, in the PD-H4 (Planned Development-Housing), administered as R-8 Affordable Dwelling Unit (Single Family Residential with Affordable Dwelling Units), zoning district. The subject property is also located partially within the FOD (Floodplain Overlay District). This application is subject to the Revised 1993 Zoning Ordinance. The applicant is also requesting modifications of Zoning Ordinance (ZO) sections as follows:				
Zoning Ordinance Section		Proposed Modification		
ZO § 1-205(A) Limitations and Methods for Measurements of Lots, Yards and Related Terms, Lot Access Requirements		Permit lots to have frontage on open space in lieu of a Class I, Class II, or Class III road, or private access easement, and permit lots to be accessed from rear private streets.		
ZO §4-110(I)(2) Site Planning-Internal Relationships, Uses adjacent to single-family, agricultural, or residential districts or land bays allowing residential uses		Eliminate the 50-foot wide common open space buffer with a Type 2 Buffer Yard between certain internal multi-family and single family attached and single family detached residential landbays.		
ZO §7-803(C)(2)(a) Lot and Building Requirements, Yards, Single family attached units, Front		Reduce the minimum front yard from 15 feet to 7 feet.		
ZO §7-803(C)(2)(c) Lot and Building Requirements, Yards, Single family attached units, Rear		Reduce the minimum rear yard from 15 feet to 7 feet.		
PARCELS				
PIN#	Tax Map Number	Address	Application(s)	Acres
154-37-0101	/78/////////7/	21167 Belmont Ridge Road Ashburn, VA	ZCPA-2012-0003	4.49
ACCEPTANCE DATE April 6, 2012		LOCATION South of Dulles Greenway (Route 267), on the west side of Belmont Ridge Road (Route 659), and north of the intersection with Broadlands Boulevard (Route 640) and Polen Farm Boulevard which is the entrance road to the Goose Creek Preserve community.		
ZONING ORDINANCE Revised 1993		EXISTING ZONING PD-H4 (Residential)		
POLICY AREA Suburban Policy Area (Ashburn Community)		PLANNED LAND USE Residential uses at a density of up to 4.0 dwelling units per acre.		

II. PLANNING COMMISSION REVIEW AND FINDINGS

This application was returned to the Planning Commission for further review following the May 15, 2013 Board of Supervisors Business Meeting. Previously at the Board of Supervisor's Public Hearing of April 10, 2013 board members expressed concern regarding the proposed unit type, capital facilities contribution and unmet housing needs issues. The Board requested a determination to clarify the unit type proposed by the Applicant. The Zoning Administrator determined that the proposed unit type was a townhouse (ZCOR 2013-0078). Subsequently the Applicant redesigned the proposal from 64 MF units to 56 townhouse units and requested additional zoning modifications to lot frontage and yards, both front and rear, to accommodate the new design. The Applicant revised the proffer statement to provide capital facilities contributions and unmet housing needs contributions consistent with Plan policy.

The Planning Commission held a Public Hearing on the Goose Creek Preserve (GCP) application on June 18, 2013. There were no speakers regarding the application. There were no comments posted to LOLA regarding this application.

The Planning Commission sought an understanding of where the 32 Affordable Dwelling Units (ADU) would be located throughout the community and the number of ADU units that would be placed within this landbay. The Applicant noted one half of the 32 ADU units would be in the northern portion of Goose Creek Preserve and anticipated these 16 units would be located within 2 landbays. The Applicant acknowledged the specific location of ADU's would be provided as required at site plan review.

The Planning Commission voted to forward the Zoning Concept Plan Amendment application to the Board of Supervisors with a recommendation of approval (8-0-1, Klancher absent for the vote), subject to the Proffer Statement dated June 17, 2013 and based on the Findings for Approval contained in this Staff Report.

Findings for Approval

1. The proposed land use is consistent with the land use policies of the Revised General Plan, which designates the subject property for Residential uses.
2. The modification of Revised 1993 Zoning Ordinance Sections 4-110(I)(2); 7-803(C)(2)(a); 7-803(C)(2)(c); and 1-205(A) exceed the public purpose by incorporating modifications that would allow for a compatible design to that within the remainder of the property which is developing as a neotraditional community adjacent to Goose Creek.
3. Subject to the modifications the proposal conforms with the Revised 1993 Zoning Ordinance.

III. CONTEXT

Location/Site Access – The site is located on a 4.49 acre portion of the Goose Creek Village Landbay IV, along the western side of Belmont Ridge Road (Route 659), and south of and adjacent to the Dulles Greenway (Route 267). Access to the site is proposed with Polen Farm Boulevard at a signalized intersection with Broadlands Boulevard (Route 640) and Belmont Ridge Road. Belmont Ridge Road is currently classified as a major collector currently built as a four lane divided controlled access urban collector (U4M) with a 45 mph posted speed limit in the vicinity of the site. It includes traffic signals at the Ashburn Farm Parkway and Truro Parish Drive intersections. Based on the latest (2010) traffic count data from VDOT, the segment of Belmont Ridge Road (Route 659) in the vicinity of the site carries 8,600 daily vehicle trips.

Graphic1. Vicinity Map and Existing Site Conditions



Source: County GIS Records. Department of Planning.

Directions: From Leesburg, take the Dulles Greenway (Route 267) east to Exit 4 (Belmont Ridge Road – Route 659). At the end of the ramp turn right onto Route 659 south. Goose Creek Preserve is immediately on the right (west) side of Route 659 at 21167 Belmont Ridge Road.

Surrounding Properties – Single-family detached residential properties are situated along Belmont Ridge Road to the east. Broadlands is located immediately east of the property. The Broadlands portion north of Broadlands Boulevard remains vacant, and is approved for office uses per the concept development plan of Broadlands. Ashburn Farm is east of the property and north of the Dulles Greenway. Ashburn Farm Section 7 is a PD-H4 community that has completed construction as single family detached units. Goose Creek Village North and South are located to the north of this property and currently are under construction as PD-H4 and PD-OP communities. Goose Creek Village North includes a village center located at the intersection of Sycolin Road and Belmont Ridge Road. Belmont Glen Village (ZCPA-2009-0007) is currently under construction to the south and west of Goose Creek Preserve. To the west of the property is Goose Creek. Abutting the northwest corner of Goose Creek Preserve and extending to Sycolin Road are two R-1 parcels that remain vacant.

IV. PROPOSAL

PROPOSAL

The Applicant requests approval of a **Concept Plan Amendment** to amend the concept plan and proffers approved with ZMAP-2002-0009, Goose Creek Preserve. The purpose of the Concept Plan Amendment is to implement a design change of 64 multi-family (town over town) units on a 4.49 acre portion of this rezoning. Revisions to open space and recreational amenities are also requested. Specifically the Concept Development Plan changes would 1) Permit the redesign of the currently proffered 64 multi-family town over town units (MF) to an alternative design for multi-family units; and to 2) Revise the open space and recreational amenities to include a 0.20 acre reduction in the size of a community green within Landbay IV.

As a part of the single family attached proposal the Applicant also seeks approval of **Zoning Modification Requests**. The following modification was approved with the initial rezoning as it encouraged significant environmental preservation and facilitated the neotraditional design approach employed throughout the community without maximizing density. That requested zoning modification has been included to ensure the originally approved modification that currently applies to this landbay is again included in the concept development plan change. That modification is:

- To eliminate the 50 foot Type 2 buffer requirement between internal single family attached and multi-family residential landbays.

In addition the proposed design of the original rezoning requested and was approved for a reduction of the minimum front yard from 20 feet to 10 feet. The redesign of this landbay for single family attached units requests a similar modification with dimensional changes:

- To allow for reduction of the minimum front yards from 15 feet to 10 feet, and
- To allow for reduction of the minimum rear yards from 15 feet to 7 feet.

And the Applicant requests a modification that would allow for the incorporation of the single family attached units in a manner that encourages access to the green within the landbay:

- To permit lots to have frontage on open space in lieu of a Class I, Class II, or Class III road, or private access easement, and permit lots to be accessed from rear private streets.

The Proffer Statement and Concept Plan currently under review would amend and supercede only those portions of the previously approved proffers (ZMAP 2002-0009) as specifically identified and would apply only to the 4.49 acre portion of Landbay IV shown on the plat. Specifically, these proffers address substantial conformance, lighting, and capital facilities contribution for this portion of Landbay IV.

The Proffer Statement and Concept Plan currently under review would amend and supersede only those portions of the previously approved proffers (ZMAP 2002-0009) as specifically identified and would apply only to the 4.49 acre portion of Landbay IV shown on the plat. Specifically, these proffers address substantial conformance, lighting, and capital facilities contribution for this portion of Landbay IV.

BACKGROUND

The Goose Creek Preserve (ZMAP 2002-0009) was approved by the Board of Supervisors July 6, 2004 for the rezoning of 164 acres to a PD-H4 mixed use residential community. Goose Creek Preserve was approved for 500 dwellings and a density of approximately 3.06 dwelling units per acre.

Zoning Ordinance Definitions of Unit Type

The principal issues of concern have been the capital facilities impact and the residential unit type being proposed. Discussion at both the Planning Commission and Board of Supervisor's public hearings and committee worksessions focused on Zoning Ordinance definitions of "Dwelling, Multi-Family", "Dwelling, Single-Family Attached" and "Dwelling, Townhouse". Supporting the earlier recommendations by the Planning Commission and the Board of Supervisors, the Transportation and Land Use Committee (TLUC) also recommended that the unit type definitions in the Revised 1993 Zoning Ordinance be considered in a future package of the Business Friendly Zoning Ordinance Amendment (ZOAM) and sent to the Zoning Ordinance Action Group (ZOAG) for their input.

- At the December 19, 2012 public hearing the Planning Commission initially reviewed the proposal for 64 dwelling units the Applicant presented as a redesign of multi-family units and Staff stated were townhouses. The proffered capital facilities contribution was less than the single family attached Capital Intensity Factor anticipated. Both unit type and capital facilities contribution remained outstanding issues with the application.
- The Planning Commission voted 8-1 (Dunn opposed) to forward the application to worksession on January 8, 2013.
- The Planning Commission adjusted the findings for approval and voted to forward the Zoning Concept Plan Amendment application to the Board of Supervisors with a recommendation of approval (5-3-1, Blackburn, Dunn, Ryan, Salmon, Scheel – Yes; Klancher, Ruedisueli, Syska – No; Douglas – Absent for the vote).

- The Planning Commission further voted 7-0-2 (Dunn and Douglas absent) to recommend the Board of Supervisors amend the Zoning Ordinance definitions to more clearly define MF, SFA, and townhouse dwelling.
- On April 10, 2013, the Board of Supervisors conducted a public hearing and voted 9-0 in support of Supervisor Clarke's motion to request the Zoning Administrator's determination regarding unit type, and subsequent to that determination, to schedule the application for review and discussion in Transportation and Land Use Committee (TLUC) and for recommendation to the Board.
- On April 25, 2013 the Zoning Administrator rendered a determination that the units proposed in the application cannot be considered as multifamily and they are townhouses (*see Attachment 1k, ZCOR 2013-0078*).
- On May 10, 2013 the TLUC voted 5-0 to forward the application to the Board of Supervisors with a recommendation that the application return to the Planning Commission for review and public hearing. The TLUC stated the Applicant should clarify the unit type proposed, address and justify their proposed capital facilities contribution, and ensure the advertisement for single family attached rather than the multi-family units previously advertised are addressed prior to the Planning Commission public hearing.
- On May 15, 2013 the Board of Supervisors voted unanimously (9-0) at the Board Business Meeting to return this application to the Planning Commission to allow the Applicant to submit revised materials for the development of single family attached units and capital facilities contributions and unmet housing needs contributions consistent with Plan policy.
- On May 31, 2013 the Applicant submitted a revised plat and proffer statement for 56 single family attached units. Revisions to the design included additional requests for zoning modifications to lot frontage and reductions in both front and rear yards as discussed within this report (*see Page 14*). The revised proffer statement included capital facilities contributions and unmet housing needs contributions consistent with Plan policy for single family attached units.

V. OUTSTANDING ISSUES

There remain no outstanding issues with the application. The Proffer Statement is currently under review by the County Attorney's Office. Staff will update the Board of Supervisors at the public hearing.

VI. POLICY ANALYSIS

Criteria for Approval - Zoning Ordinance Section 6-1211(E) of the Revised 1993 Zoning Ordinance states that when considering a rezoning application, the Planning Commission shall give reasonable consideration to sixteen factors or criteria for approval. These criteria for approval are organized below by category, followed by Staff's analysis

A. LAND USE

ZO §6-1211(E)(1) Whether the proposed zoning district classification is consistent with the Comprehensive Plan. (2) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate. (12) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies. (15) The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.

Analysis – There remain no outstanding land use issues.

UNIT TYPE /DESIGN

The community of 492 units includes a mix of single family attached, duplex, multifamily and single family detached units. The proposal introduces 56 additional single family attached units within this landbay resulting in a total of 98 single family attached units throughout the community. Some of these units would be reverse frontage lots that face a common green instead of a street. The Applicant has provided lot layouts in Sheet 4 of the Concept Development Plan illustrating the potential rear loaded lots with private access easements and fronting on the either a street or a green. The Applicant has requested zoning modifications to facilitate this design (see Page 13).

CAPITAL FACILITIES CONTRIBUTION

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility guidelines and policies of the Plan (Revised General Plan, Chapter 3, Proffer Policy 3). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Chapter 11, Capital Facilities Guideline 1).

The Applicant agrees to proffer the currently adopted Capital Intensity Factor (CIF) of \$40,385 for single family attached units. However, the Applicant is also proposing to take a per unit capital facilities credit for regional road contributions, parkland, and other recreational amenities committed with the original rezoning of ZMAP 2002-0009. The credit totaling \$1,597,750 was originally approved with ZMAP 2002-0009 and is paid on a per unit basis for each market rate unit for the entirety of Goose Creek Preserve. The capital facilities credit proposed with ZCPA 2012-0003 differs slightly reflecting the decrease in the total number of market rate units with the resultant increase in the per unit credit for each market rate unit. For this application the overall credit results in a \$3473.37 per unit reduction in the capital facilities proffer.

The regional road improvement for which the applicant is taking the capital facilities credit has been ensured with the agreement to construct the offsite portion of Route 659¹ from the southern limits of the property to Truro Parish Drive. Completion of construction for

¹ Broadlands –Route 659 Phase IIB Transportation Improvement Trust Fund Reimbursement Agreement
April 20, 2012

this road portion is ensured through the Broadlands Route 659 Phase II B Transportation Improvement Trust Fund (Broadlands TIF) reimbursement agreement dated April 20, 2012 which references the Goose Creek Preserve Proffer Statement for the ZCPA 2002-0009. As noted within the agreement either Broadlands TIF or Goose Creek Preserve will complete this road project dependent upon the timing of construction.

Therefore, the Applicant is proffering a capital facilities contribution of \$36,911.63 for each market rate unit built within the landbay without specifying the total value of the proffer. The total contribution will vary based on the number of affordable dwelling units built in this landbay. Specifying the landbay location of ADU units is not required prior to subdivision review. Staff is satisfied the proffered credit will be no greater than that originally approved with ZMAP 2002-0009.

UNMET HOUSING NEEDS

On September 18, 2007, the Board of Supervisors adopted revised housing policies that recognize that unmet housing needs occur across a broad segment of the County's income spectrum. Unmet housing needs are defined as the lack of housing options for households earning up to 100% of the Washington Metropolitan Area Median Income (AMI, \$107,500 effective December 13, 2011). Developers of residential projects are encouraged to include funding commitments to fulfill unmet housing needs, recognizing that the largest segment of unmet needs is housing for incomes below 30% AMI. Plan policies also encourage the development of housing for special needs populations (low income residents, elderly residents requiring congregate care, disabled residents and the homeless) as well as the application of universal design principles.

The original rezoning application, ZMAP 2002-0009, was approved before the new housing policies were adopted. This application, ZCPA 2012-0003, seeks to change the original approval and therefore is subject to all policies in place at the time of the current request, inclusive of the new housing policies. The Applicant has proffered a cash contribution of \$1875 per market rate unit to address the unmet housing needs. Staff is satisfied the issue has been resolved consistent with Plan policy.

OPEN SPACE

The County's vision for the Suburban Policy Area is self-sustaining communities that offer a mix of residential, commercial, and employment use; a full complement of public services and facilities; amenities that support a high quality of life; and a design that conforms to the County's Green Infrastructure (Revised General Plan, Chapter 6, Land Use Pattern and Design Policy 1). The Revised General Plan designates the project area for Residential uses (Revised General Plan, Chapter 7, Planned Land Use Map). Residential Neighborhoods are to have a variety of housing types and lot sizes and are to be developed in accordance with design guidelines and performance standards for efficient site layout, a pedestrian-friendly scale, adequate open space (active, passive, and natural), and the protection and incorporation of the Green Infrastructure (Revised General Plan, Chapter 6, Residential Neighborhoods, text).

The existing rezoning for this property, ZMAP 2002-0009, provided for a variety of housing types: single family detached, duplex, townhouse, and multi-family (town over town and 2 over 2) in a neotraditional setting. Some of these units are reverse frontage lots that face a common green instead of a street. Overall the design met the intent of the Revised General Plan's site design criteria with the incorporation of common areas, and focal points that include the proposed parade green with roundabout, clubhouse and day care facilities adjacent to the entrance road and was approved by the Board in 2003. The current proposal, ZCPA 2012-0003, proposes a change to one community green included within Landbay IV. The concept plan amendment proposes a change to one community green included within Landbay IV. The minor changes to open space would result in a minimal reduction of 8,712 square feet to a portion of the community green area within the landbay from 52,272 square feet (1.2 acres) to 43,560 (1.0 acre). However, the proposal would maintain approximately 37 percent, more than minimum 30 percent, of the property as open space in accordance with County policies. Staff has no issue with open space.

DESIGN

Residential Neighborhoods will exhibit the following design characteristics: compact site layout; pedestrian-scale streetscape; a predominantly interconnected street pattern with inter-parcel connections; a combination of neighborhood parks, squares, and greens located throughout the neighborhood within 1,500 feet of all residences; and a variety of lot sizes (Revised General Plan, Chapter 6, Residential Neighborhoods Policy 4). The functionality of the open space is important. Open space functions as the outdoor rooms of a community and plays a critical role in establishing community identity and facilitating social activities (Revised General Plan, Chapter 11, Residential Neighborhoods Design Guideline 1c).

The planned community green would be reduced in size to about 13,000 square feet. The location of the green within Landbay IV at the end of a block of single family attached units and accessible by crosswalks and sidewalks results in a green that would be within approximately 200 feet of the furthest proposed multi-family units within the project site and would be able to serve other surrounding residences within Goose Creek Preserve. Therefore the green would help establish a community identity for Goose Creek Preserve and facilitate social activities. Staff has no issue with the reduction in size of the green as the purpose of an outdoor room to facilitate social activities has been achieved with the revised design.

AFFORDABLE DWELLING UNITS

County policies promote the interspersation of affordable housing within neighborhoods, within communities, and throughout the County as part of new development (Revised General Plan, Chapter 2, Legislation Policy 3).

Note 23 on Sheet 1 of ZMAP 2012-0003 states that Affordable Dwelling Units (ADUs) will be provided on-site as required under the Revised 1993 Zoning Ordinance and that Article 7 standards shall apply to the entire development. The Applicant notes that no additional Affordable Dwelling Units are offered as the proposal does not result in an

increase in the total number of units. Staff agrees no additional ADU's are required with this rezoning. Staff recommended that ADU's be interspersed equitably throughout the community and project site. Therefore the anticipated number of ADU units within this landbay of 56 units would be 7 ADU units, with an equitable dispersion. The Applicant stated one half of the 32 ADU units required for the entirety of Goose Creek Preserve would be in the northern portion of Goose Creek Preserve and that these 16 units would be located within 2 landbays inclusive of this landbay. The Applicant declined to commit to the number of ADU's that would be placed within this landbay and acknowledged the specific location of ADU's would be provided as required at subdivision review. One concern is the subject landbay could be the recipient of the entire 16 ADU's and the CFC for this 56 unit landbay would then drop to 40 market rate units. While loading the entire 16 units into this landbay could be accomplished in accordance with the requirements of the Zoning Ordinance it would defeat both the purpose of interspersion throughout the community and increase the CFC costs resulting from this new rezoning that are to be absorbed by the County.

B. COMPATIBILITY

ZO §6-1211(E) (3) *Whether the range of uses in the proposed zoning district classification is compatible with the uses permitted on other Property in the immediate vicinity. (13) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.*

Analysis – There are no outstanding compatibility issues. The property is currently surrounded by a number of established, and under construction, residential communities of various housing types to the north, south and east. The communities of Goose Creek Village North and South, Ashburn Farms and Belmont Glen Village are similar residential communities of varying housing types and include retail and business within the community. Staff maintains that single family attached or multi-family units are appropriate and compatible with this location based on the surrounding land uses.

C. ENVIRONMENTAL

ZO §6-1211(E) (5) *The effect of the proposed rezoning on the County's ground water supply. (6) The effect of the uses allowed by the proposed rezoning on the structural capacity of the soils. (9) The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality and air quality. (16) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.*

Analysis – There are no outstanding environmental issues. The proposed rezoning design and unit change would decrease the density and would be located within a previously planned residential landbay which is located to the east of the significant environmental features of the project. The minor changes to open space would result in a minimal reduction of 8,712 square feet to a portion of the community green area within the landbay from 52,272 square feet (1.2 acres) to 43,560 (1.0 acre). While the open space contained within Goose Creek Preserve would be minimally reduced, Goose Creek Preserve would continue to maintain 37 percent, and more than the required 30 percent, of the property as open space.

D. TRANSPORTATION

ZO §6-1211(E) (7) *The impact that the uses permitted if the Property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.*

Analysis – There are no outstanding transportation issues. The Applicant submitted a traffic letter, dated January 3, 2012, that assumed the change from 64 multi-family units to 64 single family attached units would have no impact upon the previously approved Traffic Impact Study. That study, completed by Wells & Associates, LLC and dated March 28, 2002, assumed the higher trip generation rate associated with single family attached units for all the planned units of the initial rezoning. Therefore the proposed change in unit type would result in a negligible change during both the peak hours and daily trips and remain within the parameters of the previously approved study. A capital facilities credit for road construction proffers provided with ZMAP 2002-0009, which ensures the completion of a four lane section of the ultimate six lane divided Route 659 south to Truro Parish Drive, remains in place and continues with this application. Completion of construction for this road portion is ensured through the Broadlands Route 659 Phase II B Transportation Improvement Trust Fund (Broadlands TIF) reimbursement agreement dated April 20, 2012 which references the Goose Creek Preserve Proffer Statement for the ZCPA 2002-0009. Dependent upon the timing of construction either, Goose Creek Preserve will receive distribution from the Broadlands TIF for the road construction to Truro Parish Drive intersection, or, the Broadlands TIF will accept the contribution provided in the Goose Creek Preserve proffer statement and complete the road connection to Truro Parish Drive intersection.

E. ECONOMIC DEVELOPMENT

ZO §6-1211(E) (10) *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base. (11) Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth. (14) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County and the capacity of existing and/or planned public facilities and infrastructure.*

Analysis – The application does not include a Fiscal Impact Analysis, and such a study is not required with this type of application. The Revised General Plan supports the proposed land use at the subject location. The Applicant's Statement of Justification indicates that the project would provide an alternative of an entry level or move down housing offering for residents. The proposed rezoning considers the trends of residential growth and housing product variety and would provide for this alternative within the Goose Creek Preserve community in addition to alternative housing options of single family detached and duplex options. The Applicant's proffered capital facilities contribution does adequately mitigate the development's impacts. The Applicant has previously addressed the remaining economic development concerns during the ZMAP 2002-0009 rezoning process. The Goose Creek Preserve community will include a daycare and clubhouse within the community.

F. UTILITIES

ZO §6-1211(E) (4) *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the Property if it were rezoned.*

Analysis – There is one concern regarding the design change from multi-family to single family attached units which would result in a slight school impact. The 56 units would result in an additional 11 children for a total of 27 students. Approximately 13 elementary, 6 middle school, and 8 high school students would be generated by this rezoning. To address this impact the Applicant has proffered a capital facilities contribution at the single family attached contribution level. Currently, the Goose Creek Preserve site is served by Creighton's Corner Elementary School, Stone Hill Middle School and Briar Woods High School. According to the most recent enrollment figures obtained from the school board planning office (September 2012), Creighton's Corner Elementary School exceeds its program capacity of 942, and with the addition of the students generated by this application, anticipates 1166 students. Stone Hill Middle School exceeds its program capacity of 1291, and with the addition of the students generated by this application, anticipates 1369 students. To relieve current and projected student enrollment in the Ashburn/Dulles North area, additional elementary and secondary schools are under construction and will open in the coming years. Based on recently adopted School Board attendance zones, the Goose Creek Preserve property will be served by Moorefield Station Elementary School beginning Fall 2013 (2013-14 academic year) and Eagle Ridge Middle School beginning Fall 2014 (2014-15 academic year). Briar Woods High School exceeds its program capacity of 1855, and with the addition of the students generated by this application, anticipates 1998 students. Trailers are being used to provide temporary increases in building program capacity.

The Applicant would continue to connect to existing Loudoun Water central water and sanitary sewer by extension of existing facilities along the Route 659 frontage.

VII. ZONING ANALYSIS

Analysis – There remain no outstanding zoning issues. The Applicant has revised the concept development plan to incorporate requested information and comments.

ZONING MODIFICATIONS

ZO §6-1504. *No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site.*

The Applicant is also requesting modifications of Zoning Ordinance (ZO) sections as follows:

TABLE 1: REQUESTED MODIFICATIONS	
Zoning Ordinance Section	Proposed Modification
ZO § 1-205(A) Limitations and Methods for Measurements of Lots, Yards and Related Terms, Lot Access Requirements	Permit lots to have frontage on open space in lieu of a Class I, Class II, or Class III road, or private access easement, and permit lots to be accessed from rear private streets.
ZO §4-110(I)(2) Site Planning-Internal Relationships, Uses adjacent to single-family, agricultural, or residential districts or land bays allowing residential uses	Eliminate the 50-foot wide common open space buffer with a Type 2 Buffer Yard between certain internal multi-family and single family attached and single family detached residential landbays.
ZO §7-803(C)(2)(a) Lot and Building Requirements, Yards, Single family attached units, Front	Reduce the minimum front yard from 15 feet to 10 feet.
ZO §7-803(C)(2)(c) Lot and Building Requirements, Yards, Single family attached units, Rear	Reduce the minimum rear yard from 15 feet to 7 feet.

Applicant's Justification:

The Revised General Plan recommends that residential developments employ conservation design techniques in order to preserve greater amounts of open space and significant environmental features of the site. The development plan for Goose Creek Preserve evolved based largely on the site's Green Infrastructure characteristics, and the project has protected many of the site's significant environmental features. Modifications of the various access, yard, lot, and buffer requirements were provided with the approval of ZMAP 2002-0009 in order to develop the Property in a neotraditional design while utilizing Conservation Design techniques. The above-listed modifications have been requested to ensure the ZCPA 2012-0003 will complement and continue the approved neotraditional design. The modifications will not result in an increase to the overall density of the project. The density would be reduced to 3.06 units per acre instead of the 4.0 units per acre permitted by the Revised General Plan policies. Since it is not possible to implement the County's innovative conservation and traditional design policies without modifications of the existing Zoning Ordinance requirements, the above-listed modifications are requested.

Staff Analysis and Recommendation:

Staff supports the proposed modifications as two were originally approved with the rezoning, ZMAP 2002-0009, to implement both the neotraditional design approach and conservation design policies. The modification requests within this application are both to ensure the approval carries forward for ZCPA 2012-0003 Landbay IV, to ensure the full complement of units can be placed within this landbay, and in a manner consistent with the remainder of the community as previously approved with ZMAP 2002-0009.

Staff can support the modification requests to Section 4-110(I)(2); Sections 7-803(C)(2)(a); 7-803(C)(2)(c); and 1-205(A), as the general footprint of units from the previously approved ZMAP-2002-0009 has not changed and the character of development is in keeping with the design previously approved. The modification to Section 1-205(A), to permit frontage of units on open space and access to lots from rear private streets was previously approved as a part of the design of Goose Creek Preserve. One result of this modification is that many units will have reduced front yards (10 feet) on a private street which could limit a homeowner's ability to construct a deck because of the regulations of Section 5-200 regarding permitted accessory uses in front yards which are more restrictive than required rear yards. Also, modifications to make a front yard a rear yard are not permitted as the definition of front and rear yards cannot be modified. However, additional sections of the community have a deck construction limitation due to this design element. Staff acknowledges one purpose of the limited townhouse lot area is to provide a more substantive cohesive area for the open space preserve of 55 acres adjacent to Goose Creek. Staff is satisfied these modifications exceed the public purpose in ensuring the design plan for unified neotraditional development throughout the community continues in Landbay IV.

VIII. ATTACHMENTS		
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6	Plat (05-31-13)	Follows A-103
*This Staff Report with attachments (file name BOSPH STAFF REPORT 07-10-13.PDF) can be viewed online on the Loudoun Online Land Applications System (LOLA) at www.loudoun.gov . Paper copies are also available in the Department of Planning.		